

****CONFIDENTIAL****

(Pursuant to Protective Order
entered on September 7, 2017)

IN THE WESTERN DISTRICT OF MISSOURI

Norman Brown, et al.,)
 Plaintiffs,)
 vs.) 2:17-cv-04082-NKL
)
Anne L. Precythe, et al.,)
 Defendants.)

Transcript of Audio-Recorded Parole Board Hearing

ELIZABETH M. GRAVITZ, CCR#881

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APPEARANCES

Participants designated as Highly Confidential per
protective order dated September 7, 2017. See Attached Key
Sheet.

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2 VICTIM SERVICE COORDINATOR: His delegate is
3 actually his mother.

4 (Inaudible conversations.)

5 PANEL MEMBER ONE: Hi, how are you?

6 CIRCUIT ATTORNEY: Hi. Good. Nice to see
7 you. [Circuit Attorney].

8 PANEL MEMBER ONE: You're Ms. [Circuit
9 Attorney]?

10 CIRCUIT ATTORNEY: Yes, I'm here.

11 PANEL MEMBER ONE: [Panel Member One]. Nice
12 to meet you.

13 (Inaudible conversation.)

14 PANEL MEMBER ONE: And you are Ms.?

15 VICTIM SERVICE COORDINATOR: [Victim Service
16 Coordinator].

17 (Inaudible conversation.)

18 PANEL MEMBER ONE: So I understand that you
19 are from the prosecutor's office --

20 CIRCUIT ATTORNEY: Yes.

21 PANEL MEMBER ONE: -- Ms. [Circuit
22 Attorney]?

23 And you would like to make your statement
24 without the offender being present?

25 CIRCUIT ATTORNEY: I usually do. It really

1 doesn't matter to me. It has been my experience with
2 defendants in my years of prosecuting that they --
3 defendants generally do better if they don't feel like
4 they need to answer me, and they don't get
5 sidetracked -- sidetracked with things that I said.

6 PANEL MEMBER ONE: Okay.

7 CIRCUIT ATTORNEY: But it really doesn't
8 matter to me.

9 PANEL MEMBER ONE: Okay. Well, it is purely
10 your choice.

11 CIRCUIT ATTORNEY: Okay.

12 PANEL MEMBER ONE: However you'd like to do
13 it. We can do it and start right now that you make
14 your statement.

15 CIRCUIT ATTORNEY: Sure.

16 PANEL MEMBER ONE: And have you been to a
17 program before, so you know how it works?

18 CIRCUIT ATTORNEY: I have. Becoming quite
19 used to this. I think this is my -- maybe my sixth,
20 seventh, something like that.

21 PANEL MEMBER ONE: Okay. So we'll go ahead
22 and get on the record. I'll get us on the record, and
23 we'll let you make your statement. And then we will
24 get the offender in, and then I'll conduct the
25 interview with him. He is not going to be -- he's

1 being accompanied not by the delegate that I thought
2 was coming but by his relative now?

3 UNIDENTIFIED SPEAKER: Yes.

4 VICTIM SERVICE COORDINATOR: His mother.

5 PANEL MEMBER ONE: His mother. And we'll
6 interview him. If you've seen that before in the
7 past, it will be the exact same thing. Give her a
8 chance to make some comments, and they'll be allowed
9 to leave, and we will conclude the hearing.

10 CIRCUIT ATTORNEY: Yes, sir.

11 PANEL MEMBER ONE: Okay. So if we are all
12 ready, Brian?

13 UNIDENTIFIED SPEAKER: Um-hum.

14 PANEL MEMBER ONE: Okay. So we are on the
15 record with hearing for Mr. [Inmate]. And with us
16 from the prosecutor's office out of --

17 CIRCUIT ATTORNEY: St. Louis City.

18 PANEL MEMBER ONE: -- St. Louis City, okay,
19 is Ms. [Circuit Attorney] who wishes to make a
20 statement with the offender not present.

21 Present in the room are Mr. [Panel Member
22 Three], Mr. [Panel Member Two], myself, [Panel Member
23 One], [IPO], if I got that right.

24 IPO: Sounded right.

25 PANEL MEMBER ONE: And Ms. [Victim Service

1 Coordinator].

2 So, Ms. [Circuit Attorney], we'll turn it
3 over to you.

4 CIRCUIT ATTORNEY: Thank you, sir.

5 As I said, I'm here representing the city.
6 I'm not the attorney who tried the case, but having
7 said similarly reviewed the file that we had at the
8 time of trial. And I just kind of wanted to go over
9 why this is such a strong murder in the first degree
10 and therefore deserving of the life without.

11 So in September 17th of 1998, it was this
12 defendant and another man that actually initiated the
13 fight with [Victim].

14 They were outside a liquor store. There
15 were two eye witnesses that were not related to any
16 party that watched the entire interaction from
17 their --

18 PANEL MEMBER ONE: Did you say 1998?

19 CIRCUIT ATTORNEY: I may have said that. I
20 meant '88. Sorry.

21 PANEL MEMBER ONE: I thought -- okay.

22 CIRCUIT ATTORNEY: I also have a cold or
23 allergy issues, so it may come out sounding
24 differently than I began.

25 PANEL MEMBER ONE: Not at a problem. Not a

1 problem.

2 CIRCUIT ATTORNEY: So there were two eye
3 witnesses not related to anyone that watched this from
4 the upstairs window, and they confirmed that the
5 defendant was the initial aggressor in the situation
6 and picked a fight with [Victim] outside a liquor
7 store. He -- [Victim], the deceased, is actually able
8 to get away. He runs inside the liquor store where he
9 begs a clerk for help.

10 He was turned away. He asked Nathaniel
11 Cooper to call 911, which Cooper refused. Instead
12 chased -- and at that point the defendant also chases
13 [Victim] inside the liquor store. So he doesn't leave
14 the fight alone. He continues to pursue him.

15 When he can't seek -- when [Victim] can't
16 say seek refuge behind that counter and gets thrown
17 back into the street, the two men then just begin to
18 savagely beat this man.

19 PANEL MEMBER ONE: This other person was?

20 CIRCUIT ATTORNEY: We don't know to this
21 day. There's some speculation.

22 PANEL MEMBER ONE: I thought there was a
23 name on it.

24 CIRCUIT ATTORNEY: There was -- my
25 understanding is that -- yeah, David Walters is that

1 it was never proven.

2 PANEL MEMBER ONE: Got it.

3 CIRCUIT ATTORNEY: So it was a name that was
4 provided through the course of the investigation.

5 PANEL MEMBER ONE: So he was never charged
6 with anything?

7 CIRCUIT ATTORNEY: No. I think there was no
8 ID on him. It was one point who [Inmate] blamed, but
9 given we didn't blame -- we didn't take his story of
10 Walter's action, we don't know whether to believe that
11 name also provided was true. That's my reading of the
12 file. Obviously some things happened on appeal that
13 I'm not privy to, but...

14 PANEL MEMBER ONE: Okay.

15 CIRCUIT ATTORNEY: So these two men, they
16 struck him, they kicked him, they stomped his head.
17 He was face down on the ground. They actually taunted
18 him before they did things.

19 So [Inmate] said to him, hey, I'm going to
20 go break a bottle over your head, and then left the
21 other man to continue to beat him while he leaves,
22 retrieves a broken bottle from a nearby vacant -- not
23 a broken bottle, a whole bottle from a nearby vacant
24 lot, returns with that bottle, and breaks it over his
25 head.

1 During all this time, [Victim]'s not
2 fighting back.

3 PANEL MEMBER ONE: This is after he was
4 being beaten by the other unidentified individual?

5 CIRCUIT ATTORNEY: Yes. Both men started
6 beating.

7 PANEL MEMBER ONE: Okay.

8 CIRCUIT ATTORNEY: [Inmate] indicates he's
9 leaving to go get the bottle. While he's gone, the
10 co-guy continues to do the beating. He returns with
11 the bottle. He breaks it over his head.

12 Then the friend takes out his gun. Because
13 of the subsequent action, I'm assuming the friend sort
14 of knew the gun may not have been operable or worked
15 real well because he just beats him with it. Smashes
16 him in the face. Smacks him in the head.

17 [Inmate] takes the gun from his friend and
18 points it at the victim, [Victim], and fires multiple
19 times.

20 PANEL MEMBER ONE: While he's laying on the
21 ground?

22 CIRCUIT ATTORNEY: Yeah, while he's on the
23 ground. As he hears -- as [Victim] hears the clicking
24 of the gun, he sits up so he was more line of the fire
25 once the trigger was pulled. But the gun doesn't fire

1 the first three times, so it malfunctions.

2 At that point he -- so now he's sitting up.

3 [Inmate] says, You'll remember this. Pulls the gun,
4 pulls the trigger two more times, and that time it
5 fires striking him once in the chest and once in the
6 abdomen.

7 He collapses. [Victim] collapses onto the
8 ground, and this is, again, just one of the more
9 egregious facts. That defendant and his friend run
10 away, but [Victim] is making noises. Not -- he's not
11 immediately deceased.

12 So they come back and -- saying, Man, you're
13 going to learn. You're going to learn. I ain't no
14 punk. You're going to learn.

15 And then making sure that he's dying, and
16 then they throw his jacket over his head and leave
17 again. So --

18 PANEL MEMBER ONE: So when they came back,
19 they didn't do anything else?

20 CIRCUIT ATTORNEY: They didn't do anything
21 else. They basically came back to watch him die.

22 PANEL MEMBER ONE: You said there were
23 witnesses?

24 CIRCUIT ATTORNEY: There were witnesses.
25 There were two, a woman and her cousin were in her

1 house. They are, matter of fact, Angela Brooks and
2 David Patton were watching from a nearby upstairs
3 window. And they saw the entire thing transpire.
4 David Patton saw it from the very beginning and called
5 his cousin over to watch it.

6 PANEL MEMBER ONE: They never knew the other
7 man?

8 CIRCUIT ATTORNEY: They didn't know the
9 other man. They only knew -- they knew [Inmate] by a
10 nickname.

11 PANEL MEMBER ONE: He was never given up by
12 [Inmate]?

13 CIRCUIT ATTORNEY: [Inmate] provided a name.
14 Like I said, he may be -- it may be truthful. It may
15 not be truthful. I don't think anyone was ever able
16 to do an ID on that guy to say whether or not [Inmate]
17 is telling the truth of his co-conspirator.

18 And he was less culpable than [Inmate], so
19 we never struck a deal with him to give up the
20 other -- you know, we don't -- you never -- you don't
21 make a deal with the shooter to get to the beater,
22 right?

23 PANEL MEMBER ONE: Right.

24 CIRCUIT ATTORNEY: So we wouldn't have had
25 an offer on the table for that information.

1 So, you know, I think just -- you know, I
2 know the board has far more information about his
3 conduct once in prison, which is also pretty awful and
4 I understand involves a lot of weapons.

5 But I think his actions in prison are
6 consistent with this sort of brutal activity. He
7 definitely likes weapons. And, you know -- and also,
8 I know one of the factors written in the statute is
9 the extent of the defendant's participation.

10 And I also read the information that his
11 lawyer provided, and they seem to sort of present it
12 as somebody who got caught up with bad people. But if
13 you look at his actions on this day, he's not part of
14 a mob mentality. He's the leader of the mob. He is
15 definitely taking things beyond what the other guy's
16 willing to do, so that doesn't indicate that he's this
17 kid who's just following the leader.

18 PANEL MEMBER ONE: Right.

19 CIRCUIT ATTORNEY: In this beating, he is
20 the leader. So I think that directly refutes sort of
21 the claim that his lawyer's putting forward just
22 getting caught up in a bad situation.

23 So for all those reasons and his subsequent
24 conduct, we are opposed to any early release
25 (inaudible). Thank you.

1 PANEL MEMBER ONE: All right. Well, thank
2 you very much for presenting that information for us
3 and coming down.

4 CIRCUIT ATTORNEY: Sure. And I've also
5 provided basically what I said in written form.

6 PANEL MEMBER ONE: Okay. That's this?

7 CIRCUIT ATTORNEY: Yes.

8 PANEL MEMBER ONE: So we can keep this?

9 CIRCUIT ATTORNEY: Absolutely.

10 PANEL MEMBER ONE: All right. Okay. We are
11 ready.

12 (Inaudible conversations.))

13 PANEL MEMBER ONE: Okay. Please state
14 your -- come more -- come more down. Face forward.
15 Not looking down that way. All right. Now we're
16 good.

17 Okay. Let's start, please state your name
18 and number for the record.

19 INMATE: Mr. [Inmate], 171590.

20 PANEL MEMBER ONE: Okay. Mr. [Inmate], you
21 are aware that you're here for your parole hearing
22 today?

23 INMATE: Yes, sir.

24 PANEL MEMBER ONE: Okay. I see that you
25 have a guest with you. Could you introduce us to your

1 guest?

2 INMATE: That's my mother, Ms. [Delegate].

3 PANEL MEMBER ONE: Okay. Ms. [Delegate],
4 have you been to a parole hearing before?

5 DELEGATE: No.

6 PANEL MEMBER ONE: No. Okay. Well, this is
7 obviously your son's first. Here's what we're going
8 to do. There's already been testimony in opposition
9 from the victim's side. We've already taken, okay.

10 And there'll be an opportunity for you to
11 speak on his behalf as his support, okay, at the
12 conclusion of the hearing. What I will do is
13 interview you, and we'll discuss this case and some
14 other factors. At the conclusion of that, then I will
15 allow you an opportunity to make your remarks if you
16 would like.

17 And you know, Ms. [Delegate], if you don't
18 want to, you don't have to make remarks. The fact
19 that you are here in support of him is important to
20 the parole board, okay. So that will be your choice
21 at the end of this if you would like to do that, okay?
22 All right. So thank you for being here.

23 Let me introduce you to the panel. We have
24 Mr. [Panel Member Three] to my left. This is
25 Mr. [Panel Member Two] to my right.

1 We also have representation from the
2 St. Louis Prosecutor's Office, city prosecutor's
3 office present, as well as our victim's unit and one
4 of our parole staff and custody officer present in the
5 room at the time.

6 So as I mentioned, you're doing a life
7 sentence. It is without parole, but with the statute
8 change, pursuant to 558.47, you are now available with
9 a petition if you (inaudible) program, which is why
10 you're here today.

11 INMATE: Yes, sir.

12 PANEL MEMBER ONE: All right. So in your
13 charges you went to trial for murder first degree and
14 also for armed criminal action, which you received a
15 life without and also a 50-year sentence for ACA.

16 I would ask you while you went to trial, are
17 you guilty for those charges?

18 INMATE: Yes, sir, I am.

19 PANEL MEMBER ONE: Okay. So that would be a
20 change in your initial statement?

21 INMATE: Yes, sir.

22 PANEL MEMBER ONE: All right. Why? Two
23 things. One, why did you take it to trial if you
24 were, in fact, guilty? And then why did you change
25 your story?

1 INMATE: I didn't. I didn't know how to
2 deal with that situation. I was lost. Then, my
3 family didn't raise me to use guns and kill peoples,
4 and I felt if I told the truth, then I'd be not loved
5 by my family. I was just confused. I didn't know
6 what to do, how to do deal with it.

7 PANEL MEMBER ONE: Okay. Well, did you have
8 any thoughts about how you might ease the pain of the
9 victim, the person you killed?

10 INMATE: Well, now that I've grown and did a
11 lot of spiritual seeking and sat on victim's impact,
12 yes. Yes, sir, I do. And I wanted to say I'm sorry.
13 I had -- if I may?

14 PANEL MEMBER ONE: Well, no, before we get
15 to that, I want to do some things before that, okay?

16 I want you to tell me exactly what happened
17 that you say you're now guilty of in terms of the
18 death of the victim. What did you do?

19 INMATE: Well, me and the victim got into a
20 fight. I hit him with a bottle. I kicked him, and
21 I --

22 PANEL MEMBER ONE: Mr. [Victim], how long
23 did you -- how long did you know Mr. [Victim]?

24 INMATE: I had just really met him. I had
25 just really -- I started messing with his niece. I

1 didn't really know her name. It's just (inaudible)
2 like that. I didn't know him for a long period of
3 time, you know. I seen him in the neighborhood.
4 That's it.

5 PANEL MEMBER ONE: So describe to me what
6 happened on the evening that's in question.

7 INMATE: Well, I was only going, talking to
8 my friend, David, and some other females, and Mr.
9 [Victim] came up cussing at me, talking about -- first
10 he say I owe him \$5, then he say I took \$5 from him.

11 I'm like, I don't know what you talking
12 about, and he swung on him. So we got into a fight.
13 Then my friend jumped in, then he took off running to
14 the liquor store.

15 PANEL MEMBER ONE: And your friend is who?

16 INMATE: David Walters.

17 PANEL MEMBER ONE: Okay.

18 INMATE: And I was -- I was confused and
19 spooked by this because I'd just seen [Victim] about
20 an hour and a half prior to this and everything was
21 cool.

22 And I went to the liquor store to try to
23 talk to him. He started trying to cuss at me, and I
24 swung on him in there. I didn't hit him, so that's
25 when --

1 PANEL MEMBER ONE: Before the liquor store,
2 something happened before that, didn't it?

3 INMATE: Right. We got into a fight.

4 PANEL MEMBER ONE: You and this other guy
5 with you?

6 INMATE: Right. My friend, David Walters.

7 PANEL MEMBER ONE: Okay. It looks like
8 you-all beat him up pretty badly at that time before
9 you ran to the liquor store; is that right?

10 INMATE: No. I ain't going to say -- like,
11 he's a big fellow. Not to make no excuses for it, you
12 know, things just happened so fast.

13 PANEL MEMBER ONE: All right. So he runs
14 into the liquor store?

15 INMATE: Yes, sir.

16 PANEL MEMBER ONE: And you follow him into
17 the liquor store?

18 INMATE: Right.

19 PANEL MEMBER ONE: So tell me what happened
20 there.

21 INMATE: I'm trying to talk to him. He got
22 to cussing me in the liquor store, so --

23 PANEL MEMBER ONE: Why did you follow a guy
24 into the liquor store who was running away from the
25 fight?

1 INMATE: Because that was my girlfriend's
2 uncle, and he stayed on my street, you know, and I was
3 trying to figure out what's going on. You know, I
4 wanted to resolve this, get this understood that it
5 wasn't me. I don't owe you no money, you know.

6 PANEL MEMBER ONE: Okay. So then what
7 happens beyond that?

8 INMATE: So we -- I tried to swing at him
9 after he started cussing me. That's when --

10 PANEL MEMBER ONE: Inside the store?

11 INMATE: Inside the store.

12 PANEL MEMBER ONE: So you didn't go in to
13 try to find out what was happening. You went in to
14 continue the fight?

15 INMATE: Well, initially it's to try to
16 resolve it, but he kept trying to cuss me. He kept
17 cussing at me. So that's when the liquor store guy
18 put us out. Then when we was walking out, I kind of
19 looking out my peripheral, and he tried to swing on me
20 again. That's when I got a bottle.

21 PANEL MEMBER ONE: I'm still in the store,
22 okay?

23 INMATE: Okay.

24 PANEL MEMBER ONE: Here's the thing,
25 Mr. [Inmate]. You know, there isn't a reason at this

1 point -- I can't give you another day on your
2 sentence. So there isn't a reason to be completely
3 candid and honest about what happened at all phases of
4 what occurred, okay, because you're doing sort of a
5 mea culpa with what happened, and your information is
6 now different.

7 And we already had information, okay. You
8 said you followed him into the store to talk, and then
9 one second later you followed him in to pursue him and
10 then you got into a fight with him.

11 INMATE: Right.

12 PANEL MEMBER ONE: You said that you wanted
13 to go in, find out what was happening with him.

14 INMATE: Right. To see what this was about.

15 PANEL MEMBER ONE: Okay. But you ended up
16 going into the store, you ended up assaulting him even
17 further?

18 INMATE: Right. Because he was cussing at
19 me. He was cussing at me.

20 PANEL MEMBER ONE: Okay. Go ahead.

21 INMATE: And so that's when the guy put us
22 out the liquor store.

23 PANEL MEMBER ONE: Okay.

24 INMATE: Then when we was coming out, out of
25 my peripheral, he swung at me. That's when I went,

1 got the liquor bottle, and hit him in the head when he
2 fell, 40 ounce bottle.

3 PANEL MEMBER ONE: Before you went to get
4 the bottle, was the other guy that was with you
5 beating on this victim?

6 INMATE: I didn't see him no more.

7 PANEL MEMBER ONE: Okay.

8 INMATE: I didn't see him no more.

9 PANEL MEMBER ONE: So you go and get this
10 liquor bottle?

11 INMATE: When he fell --

12 PANEL MEMBER ONE: All right.

13 INMATE: When he fell, that's when I kicked
14 him. Then I seen David run from across the street,
15 got to hitting him with a gun.

16 PANEL MEMBER ONE: Okay. Then what did you
17 do?

18 INMATE: I snatched the gun from him and
19 pulled the trigger.

20 PANEL MEMBER ONE: And why did you do that?

21 INMATE: Just things was going so fast. I
22 was scared. I was angry. You know, it was just going
23 so fast, you know.

24 PANEL MEMBER ONE: All right. So you pulled
25 the gun. You took the gun from this other individual,

1 and then you pointed it at Mr. [Victim] who was on the
2 ground?

3 INMATE: Yes, sir.

4 PANEL MEMBER ONE: All right. Can you take
5 it from there with me. What happened?

6 INMATE: Then the gun -- I pulled the
7 trigger, and then after so many times the gun fired
8 and -- you know.

9 PANEL MEMBER ONE: No. Actually, the gun
10 misfired.

11 INMATE: Right. I pulled so many times it
12 misfired, then it fired.

13 PANEL MEMBER ONE: So you got the gun out.
14 You're firing. It doesn't fire. Your mind's
15 thinking, should I continue or not, because right now
16 I haven't done anything except point a weapon at him
17 and fire it, but it didn't strike him.

18 But you did that two more times, okay. I
19 know this was in seconds, but at the same time though,
20 it implies that you were out to kill this guy because
21 you kept pulling that trigger, misfire or not, until
22 it finally fired. I mean, is that accurate?

23 INMATE: Yes, sir.

24 PANEL MEMBER ONE: Because I think it says
25 in the record that it misfired several times before

1 you ultimately shot this person who was on the ground.

2 INMATE: I'm sorry about that. It just
3 happened so fast, man.

4 PANEL MEMBER ONE: So why was it your aim to
5 kill Mr. [Victim]?

6 INMATE: I wasn't aiming -- well, I wasn't
7 aiming to kill him.

8 PANEL MEMBER ONE: Had you been injured at
9 all during your altercation?

10 INMATE: I was hit -- I was hit in the face.
11 I never had to deal --

12 PANEL MEMBER ONE: Did he have a weapon of
13 any kind?

14 INMATE: I never seen one.

15 PANEL MEMBER ONE: Okay. Well, there's no
16 evidence that he had a weapon.

17 INMATE: I was afraid.

18 PANEL MEMBER ONE: So there's two guys that
19 was beating this guy up. One was pistol whipping him,
20 the other beating him with a bottle. He's down, and
21 then you proceeded to take the gun, and then you shot
22 this person that was down on the ground fearing,
23 honestly, for his life. Doesn't say that in the
24 report, but, I mean, it's not a leap to understand
25 that's what was occurring here.

1 He was already down and beaten up. Sounds
2 like to me he wasn't going to get up and restart the
3 fight or beat either one of you two up. Looks like
4 you two left, and then you came back, is that right,
5 while he was down, and you shot him. Is that correct?

6 INMATE: I don't -- I don't remember coming
7 back, sir.

8 PANEL MEMBER ONE: Okay. Well, that's what
9 witness statements say.

10 INMATE: I understand that, sir.

11 PANEL MEMBER ONE: And that you also made
12 some comments to him when you came back. Do you
13 recall that?

14 INMATE: I may have. It's --

15 PANEL MEMBER ONE: So you do remember coming
16 back after you had shot him?

17 INMATE: I don't remember coming back, sir.
18 I honestly don't.

19 PANEL MEMBER ONE: Okay. So then after you
20 shot him, did you say anything to this person, to the
21 the victim, Mr. [Victim]?

22 INMATE: I may have and I just can't recall.
23 It's been so long. Like I say, things was just going
24 so fast, you know.

25 PANEL MEMBER ONE: Okay. So then what

1 happened at that point? So then you shot the victim
2 multiple times. You ran off. According to what we
3 know, you came back, and then you two took off again.
4 So then what happened after that? He dies. What
5 happened after that?

6 INMATE: I was lost. I didn't know what to
7 do. You know, I didn't know what to do, sir.

8 PANEL MEMBER ONE: Well, you had just killed
9 someone, okay. That wasn't going to be changed. Why
10 didn't you go to the police?

11 INMATE: I don't know, sir. I didn't know
12 how to deal with the situation. I was lost. I regret
13 it to this very day.

14 PANEL MEMBER ONE: And while you were lost,
15 the victim suffered the greatest loss.

16 INMATE: I understand that. I'm sorry for
17 that.

18 PANEL MEMBER ONE: The victim survived and
19 suffered the greatest loss, okay.

20 INMATE: Right. And I'm sorry to this very
21 day about that.

22 PANEL MEMBER ONE: All right. So then
23 you -- your -- I think they found you a few days
24 later. How did that happen? Explain that.

25 INMATE: They come, got me from home.

1 PANEL MEMBER ONE: Okay.

2 INMATE: And took me downtown.

3 PANEL MEMBER ONE: And what did you say?

4 INMATE: At first I told them I was at home
5 with my moms, then my friend.

6 PANEL MEMBER ONE: You mean when this
7 happened?

8 INMATE: Right.

9 PANEL MEMBER ONE: When you're first being
10 interviewed by the detectives, what did you say you
11 did?

12 INMATE: I said that I ran -- I mean, I
13 didn't shoot Mr. [Victim].

14 PANEL MEMBER ONE: Okay. Well, obviously
15 somebody did. So did you say who shot him then?

16 INMATE: I told them David Walters did.

17 PANEL MEMBER ONE: So why did you say that
18 if it wasn't the truth?

19 INMATE: I didn't know how to deal with this
20 situation, sir. I didn't want to get in trouble. I
21 didn't want to be disowned by my family. I didn't
22 know how to deal with this situation.

23 PANEL MEMBER ONE: So what would you have
24 done if this other guy, okay, Mr. -- what was his name
25 again?

1 INMATE: David Walters.

2 PANEL MEMBER ONE: Walters. What if the --
3 I mean, what if the prosecutor would have ran with
4 that and not dug further to find you were, in fact,
5 the shooter? This guy goes to prison for life
6 without, and you're sitting out there not in trouble.
7 How would you feel about that?

8 INMATE: Well --

9 PANEL MEMBER ONE: You already killed
10 somebody. Now you got a guy sitting in jail. You
11 tried to blame him to begin with, and you are the
12 shooter. So something in your mind says you were -- I
13 think you pretty acutely -- you're saying you were
14 lost. I'm not sure how lost you really were, to be
15 honest with you.

16 When confronted, you blame someone else
17 about it immediately, and you stuck with that
18 strategy. That doesn't sound like you're very lost to
19 me. Help me out with that. Is that right?

20 INMATE: I didn't know how to deal with the
21 situation, sir.

22 PANEL MEMBER ONE: Well, you took a position
23 on how to deal with it. You blamed somebody else for
24 it. That's what you did.

25 INMATE: I understand that now as an adult

1 that's wrong. It's really wrong.

2 PANEL MEMBER ONE: Okay. I mean, we'll get
3 into how far you've come, but I want us to get some
4 clear understanding about how accountable you say you
5 really are today, you know, some 20 some -- 28 years
6 later. You know, I would expect full accountability
7 as to what your actions were that day if you've come
8 full circle, okay?

9 INMATE: I'm guilty for taking the life of
10 Mr. [Victim], and I'm guilty for the pain I caused his
11 family. You know, I'm guilty for the pain I caused my
12 family, you know. You know, ain't nothing I can do to
13 atone for that. You-all can determine if I'm ready,
14 you know. I deal with that every day, you know.

15 PANEL MEMBER ONE: Okay. So how long --
16 when did you decide to change your story,
17 Mr. [Inmate], because you held out -- you held your
18 position for a long time, right?

19 INMATE: Yes, sir.

20 PANEL MEMBER ONE: So when did you change it
21 and then why did you change it?

22 INMATE: Well, when this -- when this -- I
23 think when I turned 24 years old I thought about Mr.
24 [Victim]. He was 24 years old when I took his life,
25 and I wanted to get this off my heart and to apologize

1 to the victim's family. And I never -- I never knew a
2 way to do this.

3 And I think it was in 2007, an older guy, my
4 cellie, was saying, ask me, have you ever did a
5 clemency, and I said no. So when I got the papers, I
6 say, well, I'm going to put a letter of apology
7 together for the -- in the hopes that the victim's
8 family can get it. That's when I did that.

9 PANEL MEMBER ONE: Okay. So that would have
10 been about 23 years into your sentence then? That's
11 when you could apply for clemency then, which I did
12 review, so...

13 So that's a long time to decide that. And
14 then my question then becomes do you change your mind
15 because you really felt that way, or do you change
16 your mind --

17 INMATE: Yeah.

18 PANEL MEMBER ONE: -- because you're now
19 eligible for a clemency? And so in order to do so, I
20 mean, do you put two and two together and my best face
21 forward to say I did it to pursue that clemency?

22 INMATE: Well, I really felt that way
23 because, like, my pen pal, Ms. Lynn Schlone
24 (phonetic), I met her in ninety -- I think it was '98
25 after my -- like right before my grannie passed.

1 And I had asked her, I say, is it wrong for
2 me or selfish of me for wanting my life back knowing I
3 took somebody's life? And she told me it was not, you
4 know.

5 And I prayed to God, like, you know, and I
6 try to deal with that knowing I took somebody's life.
7 And I met a couple guys that was on death row at
8 Potosi, and I knew they had been executed, you know,
9 and I say, man, that could have been me. And one guy
10 said, well, you got to give it up to God. Apologize
11 for it, and give it up to God.

12 PANEL MEMBER ONE: And so that led to your
13 change of heart --

14 INMATE: Yeah.

15 PANEL MEMBER ONE: -- in terms of your being
16 fully accountable. Okay. All right.

17 So let's talk about -- there's not much to
18 discuss in terms of substance abuse because of your
19 age at the time. You were 17. Had you had any
20 significant history -- I see here where you were
21 involved with, you know, a variety of different drugs
22 at the time.

23 Were you under the influence at that time
24 this happened in '88?

25 INMATE: Well, I had been drinking a little

1 beer and cheap wine and smoked some marijuana.

2 PANEL MEMBER ONE: Did you sell drugs also?

3 INMATE: No, sir.

4 PANEL MEMBER ONE: Did you ever tell anybody
5 you sold drugs?

6 INMATE: What, on the streets?

7 PANEL MEMBER ONE: Anywhere.

8 INMATE: No, I didn't sell drugs. I sold
9 marijuana in prison.

10 PANEL MEMBER ONE: Okay. I know that. Did
11 you sell drugs on the streets?

12 INMATE: No, sir.

13 PANEL MEMBER ONE: All right. Okay. So
14 let's get into -- let's get into your time served. As
15 I mentioned, you've served 28 years and four months
16 going to be your jail time. Is that accurate?

17 INMATE: Yes, sir.

18 PANEL MEMBER ONE: Okay. Now, here's a big
19 problem, okay. Here's where the real risk to the
20 parole board comes in in your case. I'm going to just
21 be perfectly candid with you about that, okay.

22 In your tenure, while you have done well
23 since, what, 2009? Meaning that you got no violations
24 since then, right? And we'll get into all your
25 programming, because you've done that.

1 But not -- but not lost on me is the fact
2 that before that you were a very dangerous man in
3 prison. Isn't that correct?

4 INMATE: I didn't (inaudible).

5 PANEL MEMBER ONE: Well, I mean, I'm looking
6 at a number of dangerous contraband violations. And
7 it looks like at times you would sharpen something up
8 to a point, and you'd have it on your person.

9 INMATE: Yes, sir. Yes, sir.

10 PANEL MEMBER ONE: Well, then that makes the
11 question I just asked you that you said it wasn't the
12 case, the case; is that right? Why did you always
13 have a shank on you? Why did you choose to do that?

14 INMATE: Well, in city jail, you know,
15 listening to the stories of prison, the older, older
16 fellow told me if I end up going to prison for this,
17 he advised me to mind my business and get me a weapon.

18 And at my last visit, my father, who's
19 deceased now. He (inaudible) looked me into my eyes
20 and said, go where the big boys at. Man mess up, son,
21 he snooze, he lose. And --

22 PANEL MEMBER ONE: So he was -- what you're
23 telling me is that you came in with nothing to gain at
24 all except to come to prison and --

25 INMATE: No. I was afraid. I thought I was

1 going to be a target for rape, victimized. I was
2 (inaudible).

3 PANEL MEMBER ONE: You know, I get all that,
4 you know. But a lot of people come to prison just
5 like you and don't do that who don't have near this
6 history that you have. And I've been doing this for a
7 long time, and this is a lot of history between the
8 time you came in.

9 When I look at all of these violations that
10 you got for dangerous contraband, your time in seg and
11 elsewhere, and then I'm also concerned about the fact
12 that you received a new conviction while in prison
13 that was drug related, correct?

14 INMATE: Yes, sir.

15 PANEL MEMBER ONE: Okay. Tell me about
16 that.

17 INMATE: I never used a weapon, sir. I
18 chose not to. I fought to the best of my ability with
19 my hands. I never used a weapon.

20 PANEL MEMBER ONE: Okay. And --

21 INMATE: You know, and I thank God for that,
22 you know.

23 PANEL MEMBER ONE: Okay. We'll circle back
24 to that. Right now I want to talk about this you
25 received in '96 while you were in the Department of

1 Corrections where you got a five-year sentence for
2 distribution of drugs.

3 INMATE: Well --

4 PANEL MEMBER ONE: Tell me about that.

5 INMATE: Well, being a man now, I make no
6 excuse because I broke the law, no matter what it --
7 what my reasons are.

8 PANEL MEMBER ONE: And when you broke the
9 law, where were you sitting at?

10 INMATE: I was down at Potosi Correctional
11 Center.

12 PANEL MEMBER ONE: You were sitting in
13 prison.

14 INMATE: Well, a hardship fell. My father
15 passed. And my little brother mother and my little
16 brother came to visit me, and she said she had fell on
17 bad luck. My little brother was real dirty, and she
18 said, You know how I can make some money? And I told
19 her yes, and I told her how to do that. And that's
20 what she did. She brought me some marijuana. I
21 started selling it (inaudible).

22 PANEL MEMBER ONE: And you were caught?

23 INMATE: Yes, sir, I was.

24 PANEL MEMBER ONE: Okay. Do you know how
25 you were caught?

1 INMATE: No. (Inaudible).

2 PANEL MEMBER ONE: Yeah. Well, here's the
3 thing. When you come to prison, we don't expect that
4 you do but one thing, and that is to follow every rule
5 explicitly. Okay. The life of a corrections officer
6 and the staff in prison, okay, is extremely difficult,
7 okay.

8 Their jobs are not easy, and that's with
9 everybody doing the right thing. Their jobs are made
10 just that much more difficult when people come to
11 prison to carry around 7-inch shanks that they
12 repeatedly make, which you've done multiple times, and
13 when you're also selling drugs in prison and when
14 you're setting up a drug deal to come into prison,
15 okay.

16 I mean, you were doing all kinds of things,
17 okay, Mr. [Inmate], which were things that we want you
18 to be doing the exact opposite of, okay.

19 INMATE: Okay.

20 PANEL MEMBER ONE: So you spent a lot of
21 time showing us just the kind of fellow that you were.
22 Now, you changed. According to you, you've changed,
23 okay, but, you know, I cannot, you know, conduct a
24 hearing without touching base on all these things
25 that, you know, were your character, you know, for

1 many years, you know, while you're in here, okay?

2 So you complete a five-year sentence, so
3 that's done now. And you look at what we have here.
4 Were you selling drugs in prison?

5 INMATE: I sold drugs in '95. I stopped
6 and --

7 PANEL MEMBER ONE: You were selling drugs
8 just that one year?

9 INMATE: Yeah. You know, I got caught up
10 with it. It caused too much trouble. I could see the
11 trouble --

12 PANEL MEMBER ONE: You have any drug
13 possession conduct violations or things like that?

14 INMATE: Well, they found the joint in my
15 TV. I think it was in 2002 if I'm not mistaken.

16 PANEL MEMBER ONE: Okay. You had some
17 sexual misconduct violations. Aside from the fighting
18 and the dangerous contrabands, which you have several,
19 you also have some sexual conduct violations.

20 INMATE: One of them.

21 PANEL MEMBER ONE: One, okay. So moving
22 forward --

23 INMATE: I'm sorry. (Inaudible).

24 PANEL MEMBER ONE: Moving onto conduct.
25 Let's talk about some things that you've done since.

1 Since 2009 you got your GED?

2 INMATE: Yes, sir.

3 PANEL MEMBER ONE: Okay. Where did you get
4 that at?

5 INMATE: Potosi Correctional Center.

6 PANEL MEMBER ONE: What year did you get
7 that?

8 INMATE: '94 if I'm not mistaken.

9 PANEL MEMBER ONE: '94. And I want to
10 commend you for that. Getting your GED is not an easy
11 thing to do, okay?

12 INMATE: I feel bad, man. (Inaudible).

13 PANEL MEMBER ONE: Go ahead and take a
14 minute.

15 INMATE: I'm sorry. I'm sorry. I'm sorry.
16 Excuse me.

17 PANEL MEMBER ONE: That's okay. You let us
18 know when you're ready to start back up.

19 INMATE: I'm ready.

20 PANEL MEMBER ONE: All right. As I
21 mentioned, you received a GED. And, again, I can't
22 commend you enough for having a GED. That's not an
23 easy thing to do. I'm not sure if I could pass a GED
24 these days. Those tests are not easy, and that's good
25 that you got that done.

1 And that was probably the beginning of your
2 real turnaround, which you did make one it would
3 appear. You've been involved in a lot of programs and
4 court programs. And in my opinion -- ICVC, on at
5 least two occasions. Have you taken it since 2009?

6 INMATE: Have I took programs since --

7 PANEL MEMBER ONE: No, no. The ICVC class.
8 You've taken it at least twice?

9 INMATE: Right. Right.

10 PANEL MEMBER ONE: In 2003 and 2009. Did
11 you take it again since 2009?

12 INMATE: Can I look in my file to be sure,
13 correct?

14 PANEL MEMBER ONE: I mean, we can check
15 that. The point being is that you've taken really
16 important class multiple times, and in some cases when
17 you've got this much time like you have, a lot of the
18 times folks will take it somewhere near their hearing.

19 INMATE: Right.

20 PANEL MEMBER ONE: So my guess is that you
21 might have taken it a third time.

22 INMATE: I think I took it, like, in -- if
23 I'm not -- I don't know if it's 2005 or seven.

24 PANEL MEMBER ONE: Okay. Well, ICVC is an
25 important class. I mean, it's a victim's class. And

1 it talks about victimization in a way that reaches
2 people.

3 INMATE: It made me feel bad now. Like I
4 feel bad now.

5 PANEL MEMBER ONE: The idea is have you
6 understand what it means to create a victim. You got
7 victims telling you about how it made them feel to be
8 a victim.

9 And the hope is that you can reach people,
10 because the last thing we want you to do again if
11 you're released, Mr. [Inmate], is to go back out and
12 create yet another victim, okay. So that begins that
13 process sort of changing your thinking process. That
14 whole cognitive piece. You've heard about that. Took
15 Pathways, too, didn't you?

16 INMATE: Yes, sir.

17 PANEL MEMBER ONE: Okay. And that talks
18 about the whole cognition process, the whole thinking
19 process.

20 In other words, if I'm in the streets again
21 like that with someone and I'm fighting and I pursue
22 them into a store, perhaps I might just walk back out
23 and say, I'm done with it. I've already gone too far.

24 Programs like Pathways helps you with that
25 whole cognition process, okay. So it looks like

1 you've taken that, and you've also taken anger
2 management in '13 sounds like?

3 INMATE: Yes, sir.

4 PANEL MEMBER ONE: Received several
5 certificates. And I do want you to know that I have
6 reviewed this packet from your attorney.

7 INMATE: Yes, sir.

8 PANEL MEMBER ONE: It's an excellent packet.
9 Lot of good information in there. Lot of support
10 letters from a lot of family and friends that you pen
11 pal with.

12 There's a -- there's a report in there from
13 a psychiatrist as well and people you've had contact
14 with during your incarceration along with a number of
15 certificates.

16 So we have all that stuff on record, okay?

17 INMATE: All right.

18 PANEL MEMBER ONE: Now, in looking at -- are
19 there any programs that you've been involved in in the
20 last few years? Are you involved in anything right
21 now?

22 INMATE: I'm in apprenticeship program on
23 the job.

24 PANEL MEMBER ONE: Okay. Yeah, and, I mean,
25 that's a good program, too. They capture all your

1 hours and report it to the Department of Labor and
2 their apprenticeship program, right? And how many
3 hours do you have?

4 INMATE: Over 2,000 hours.

5 PANEL MEMBER ONE: All right. I want to
6 commend you for that. Now, 2,000 hours in what?

7 INMATE: On the pants production line.
8 Making the --

9 PANEL MEMBER ONE: Okay.

10 INMATE: -- officers' pants.

11 PANEL MEMBER ONE: Now, that's in the
12 clothing factory?

13 INMATE: Yes, sir. (Inaudible).

14 PANEL MEMBER ONE: Okay. And I noticed that
15 before that I think you worked at -- weren't you in
16 food service for a number of years?

17 INMATE: Yes, sir.

18 PANEL MEMBER ONE: Okay.

19 INMATE: I worked as a line packer. I ran
20 the dietitian line for the camp, preparing the diets.

21 PANEL MEMBER ONE: Okay. And also in this
22 same packet there are a lot of collateral contacts.
23 Those are contacts with people that know you here that
24 work with you that have said a lot of good things
25 about you, so you know that, okay, and you're aware of

1 that information.

2 Now, what do you like to do with your free
3 time?

4 INMATE: Improve --

5 PANEL MEMBER ONE: Says here that you enjoy
6 working out (inaudible)?

7 INMATE: I work out and do reading and just
8 walks, speak to myself.

9 PANEL MEMBER ONE: Okay. And I know that
10 you have a lot of family contact. And you receive --
11 do you receive regular visits, or is it all phone,
12 phone contact?

13 INMATE: Most of the time.

14 PANEL MEMBER ONE: Okay. Okay. It looks
15 here like your home plan is to your mother?

16 INMATE: Yes, sir.

17 PANEL MEMBER ONE: Okay. And why is this a
18 good place for you to go?

19 INMATE: Because I love her to death, and
20 she going to -- she going to (inaudible). Had I not
21 be on that corner, she always forbid me, this fight
22 would have never happened.

23 I'm sorry, Mom. I'm so sorry.

24 PANEL MEMBER ONE: Well, I'm sure that you
25 play that back in your mind.

1 INMATE: I'm sorry. I took so much from
2 her, man. I took so much from peoples, you know.

3 PANEL MEMBER ONE: Does anyone else stay at
4 your mom's home?

5 INMATE: No. Just my mom.

6 PANEL MEMBER ONE: Just her, okay. All
7 right. And I know that, you know, you came in when
8 you were 17. Or this happened when you were 17. You
9 don't have much of an employment history. So being
10 locked up for 28 years, your only real history is
11 inside of prison. And you've got some certificates to
12 suggest that you've done well as far as that goes.

13 If you get a date and you go out, you are
14 required to work. You look like you're physically
15 capable of work. You've been working with a PO to
16 ensure that you are, in fact, filling that void, okay,
17 because that's going to be important if you're
18 released, if you receive a release date.

19 All right. Special conditions. Minimally
20 there'll be no drinking, substance abuse program,
21 anger management, and no contact with the victim's
22 family, okay.

23 And, I mean, that largely -- I mean, those
24 largely are my questions. And, you know,
25 Mr. [Inmate], I will tell you this. This wasn't going

1 to be easy today. You know, the thing that people
2 find most difficult to deal with is what's directly
3 right in front of them.

4 You have to talk about this case in a way
5 that you're honest and candid about what you did do.
6 The more you do that -- not that it becomes easier,
7 but the more you accept honestly what you really did
8 do and the harm that you've caused to another family,
9 okay. (Inaudible) I understand that you harmed them,
10 too because of your actions, but the bigger piece here
11 for me, okay, is the victimization that occurred. You
12 took someone's life.

13 INMATE: I'm sorry for that.

14 PANEL MEMBER ONE: I understand that. And
15 for that, they lost someone they can never recover
16 back. Only just their memories. But it was going to
17 be hard to talk about.

18 The parole board is neutral in these
19 matters, but we have to know that you can discuss what
20 you did and discuss it honestly and candidly because
21 you have to.

22 For us to release you, we take on a risk of
23 turning loose someone that, okay, has a life sentence,
24 one. And, two, the early part of your incarceration,
25 poses a big risk for the parole board to take on.

1 Now, we're having a hearing to consider
2 that. If we release you and you get out and you do
3 anything at all even close to what you did in prison
4 that first few years or so where you carried a weapon
5 around with you, the parole board is in the press in a
6 big way, okay.

7 So we're going to look out for our own
8 interest as well in these kind of cases. But most
9 importantly, I need to be sure that you're ready for
10 release, okay. That the public is safe prior to your
11 release, all right.

12 The best way you can demonstrate that is to
13 continue to behave appropriately while you're in
14 prison no matter what we do decisionally, whether it's
15 a release date or not. Your only vehicle out of
16 prison is the parole board and nothing else.

17 So you are to adhere every day to the
18 behavior that you've been demonstrating, okay?
19 Because whether you get a release date from us or not
20 this cycle. If you don't, that means you'll be back
21 in front of the parole board again at a -- you know,
22 down the road.

23 You want to bring to that board if that's
24 the case, you know, well, since then, you know, I
25 handled that, and this is what I've done since then.

1 It always has to always be about what you've done
2 that's good in order to put distance between that bad
3 stuff you did in prison. Because that stuff is also
4 going to pose a risk to us.

5 The dangerous contraband, the new felony
6 charge in prison, okay, those are real things that we
7 have to look at that you have to be aware of and
8 accept, okay, because we will evaluate that in our
9 decision making as well as all the things that you've
10 done that are good, okay, going forward.

11 Which you've done. You've done some things
12 that are really good, okay. So we have to find a place
13 that fits in our decision, and we'll make a decision
14 about that.

15 Now, this will go to the full board. This
16 is just a panel hearing today. It will go to our full
17 board to make a decision on it.

18 I will -- I have no other questions. Do you
19 have anything?

20 INMATE: Yeah. I just would like to say I'm
21 sorry to Mr. [Victim]'s family, you know. I hope they
22 can forgive me.

23 And, I'm sorry, Mom, for putting you through
24 this. And I'm just sorry, man. My soul is tired all
25 the time. My soul is tired.

1 PANEL MEMBER ONE: Okay. Well, we
2 appreciate that. Let me ask the panel if they have
3 any questions.

4 Mr. [Panel Member Three]?

5 PANEL MEMBER THREE: No questions, sir.

6 PANEL MEMBER ONE: Mr. [Panel Member Two]?

7 PANEL MEMBER TWO: I do not.

8 PANEL MEMBER ONE: Okay. Ma'am, going to
9 turn this over to you to make some comments if you
10 like to.

11 DELEGATE: First of all, I want to thank you
12 for giving my son this opportunity (inaudible). And
13 I -- you know, I understand how the opposite person --
14 like I was telling him, if it was me -- you know, him
15 on the opposite side of the spectrum, how I would
16 feel, and I understand.

17 But I do really appreciate that you did, in
18 your hearts, give him this chance to, you know,
19 because it wasn't (inaudible). I know it's a
20 blessing. He has grown a long ways, even from when it
21 happened, you know.

22 Like when it first happened, he was telling
23 the truth, I guess. He told me he thought I would
24 disown him or was scared or whatever. He was wrong,
25 because the corner that it happened on, I would say,

1 stay from around there.

2 And, really, one time I felt I was reason
3 why because when I had moved in the area and what I
4 had went through, okay, I felt that I was responsible.
5 That I let him down as a parent, so, but I do
6 appreciate that you-all did take the time to hear from
7 him (inaudible).

8 PANEL MEMBER ONE: Okay.

9 DELEGATE: It's been hard.

10 PANEL MEMBER ONE: Well, I'm sure it's been
11 very difficult on the family. It always is.

12 DELEGATE: Yeah. Most his family -- put it
13 his way. I don't know if it's God or whatever, but my
14 family's dropping like flies, so...

15 PANEL MEMBER ONE: Well, I want to thank you
16 for coming today, okay.

17 DELEGATE: Appreciate it.

18 PANEL MEMBER ONE: We don't get very many
19 delegates, Mr. [Inmate], that come in, okay, for
20 someone. So you need to be highly appreciative
21 that -- I know it's your mom, but a lot of mothers
22 don't come, a lot of family don't come.

23 She came down today to be here sitting in
24 that chair with you. You need to really appreciate
25 that to the highest degree. This panel certainly

1 appreciates you coming down and bringing your support,
2 okay, by way of being here to us. It's most
3 appreciated.

4 DELEGATE: Thank you all.

5 PANEL MEMBER ONE: Okay. Thank you, ma'am.

6 All right. If that's it, then this will
7 conclude the hearing. You will get an answer from the
8 an institutional parole officer within about six to
9 eight weeks, okay?

10 INMATE: Yes, sir.

11 PANEL MEMBER ONE: All right. Thank you.

12 DELEGATE: (Inaudible).

13 PANEL MEMBER ONE: Thank you, ma'am. Thank
14 you for coming.

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REPORTER CERTIFICATE

I, Elizabeth M. Tucker-Gravitz, Certified Shorthand Reporter, Certified Court Reporter, do hereby certify that said Audio-recorded Parole Board Hearing was transcribed by myself, translated and proofread using computer-aided transcription; and the above transcript of proceedings is a true and accurate transcript of my notes of the audio to the best of my ability.

I further certify that I am neither attorney nor counsel for nor related nor employed by any of the parties to the action in which this examination is taken; further, that I am not a relative or employee of any attorney or counsel employed by the parties hereto or financially interested in this action.

Dated December 5, 2017.

Elizabeth M. Tucker-Gravitz, CCR,

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